

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 59-116 are pending in the application, and Claims 65 and 87 are amended by the present amendment. Claim 87 is amended to depend from Claim 84 instead of Claim 85, and Claim 65 is amended to correct a minor typographical error. No new matter is presented.

In the outstanding Official Action, Claims 76-78, 84-86, 92-94, 100, 101 and 109 were rejected under 35 U.S.C. §102(b) as anticipated by Noneman (U.S. Patent 5,887,252); Claims 79-83, 87-91, 95-99, 102, 103, 110 and 111 were objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims; and Claims 59-75, 104-108 and 112-116 are allowed.

Applicants appreciatively acknowledge the indication of allowable subject matter. However, since Applicants consider that independent Claims 76, 84, 92, 100 and 109 patentably define over the applied reference, the remaining dependent claims are presently maintained in dependent form.

The outstanding Official Action asserts that Noneman teaches all the elements of independent Claims 76, 84, 92, 100 and 109. Applicants respectfully traverse this rejection.

Claim 76 relates to a method of providing multicast service, and for transmitting information relating to the multicast service to all radio terminals within a predefined service area. In accordance with this method, the information relating to the multicast service, which is transmitted to the terminals from an information distributing apparatus, includes identification information and channel information relating to the multicast service. The respective radio terminals within the service area are then able to receive the multicast service via the channel identified in the received information.

Specifically, Claim 76 recites, *inter alia*, a multicast service providing method, wherein:

“the information distributing apparatus informs all the radio terminals present in the service area of information for identifying multicast information on distribution and radio channels used for the distribution of the multicast information by using a predetermined radio channel...”

Independent Claims 84, 92 and 100 recite substantially similar subject matter as cited above. Accordingly, the arguments set forth below are applicable to Claims 76, 84, 92 and 100.

Turning to the applied reference, Noneman describes a method for multicast service setup in a cellular communication network. Noneman describes that once an Origination Message (OM) is received by a base station requesting the set up of a multicast service, the service is configured and an Extended Handoff Direction Message (EHDM) is transmitted back to the mobile station identifying specific parameters relating to the service.¹ Then, each mobile station having permission to access the multicast service receives a multicast long code mask corresponding to the multicast service from the base station.²

However, Noneman fails to teach or suggest that information corresponding to the radio channels used for the distribution of the multicast information is distributed to *all* radio terminals present in the service area, as recited in Claim 76. In contrast, Noneman describes only that an EHDM message specifying the code channel index that the requesting mobile station is to use on the forward traffic channel is transmitted to the *requesting* mobile station.³ Noneman then describes that each mobile station which has purchased a subscription, or is authorized to access the multicast service, is sent a multicast long code mask.⁴ However, at no point does Noneman teach or suggest that channel information

¹ Noneman at column 4, line 50 through column 5, line 41.

² Noneman at column 6, lines 10-32.

³ Noneman at column 5, lines 25-33.

⁴ Noneman at column 6, lines 10-32.

corresponding to the multicast service is transmitted to all the mobile stations in the service area, as recited in Claim 76.

Accordingly, Applicants respectfully request that the rejection of Claims 76, 84, 92 and 100 under 35 U.S.C. §102(b) be withdrawn. As Claims 77-83, 85-91, 93-99 and 101-103 respectively depend from Claims 76, 84, 92 and 100 respectively, it is submitted that these claims also patentably define over Noneman.

Claim 109 relates to a base station that is configured to receive a distribution request for multicast data from a radio terminal and transmit multicast data to a radio terminals authorized to participate in the multicast service. The base station includes radio channel information transmitting device for transmitting information relating to a radio channel used for distributing the multicast data, in response to the distribution request for the multicast data provided by the radio terminal.

Claim 109 recites, *inter alia*, a radio base station for transmitting multicast data to a radio terminal, comprising:

“...radio channel information transmitting means
transmitting information of a radio channel used for distributing
the multicast data in response to the distributing request for the
multicast data given by the radio terminal.”

As discussed above, Noneman fails to teach or suggest that the base station transmits a radio channel for distributing the multicast data in response so the request received by the mobile device. Instead, Noneman describes that the call is set up via an OM, and that in response to this OM, the base station transmits a multicast long code mask to the mobile stations eligible to be involved in the multicast communication.⁵ Thus, Noneman fails to teach or suggest that the base station includes a means for transmitting radio channel information used for distributing the multicast data in response to the distributing request provided by the radio terminal, as recited in Claim 109.

⁵ Noneman at column 4, lines 50-58, and column 6, lines 9-32.

Accordingly, Applicants respectfully request that the rejection of Claim 109 under 35 U.S.C. §102(b) be withdrawn. As Claims 110 and 111 depend from Claim 109, it is submitted that these claims also patentably define over Noneman.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 59-116 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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